

APPEAL, CLOSED

**United States District Court
District of Massachusetts (Boston)
CRIMINAL DOCKET FOR CASE #: 1:04-cr-10317-RCL-ALL**

Case title: USA v. Lewis

Date Filed: 10/13/2004

Assigned to: Judge Reginald C. Lindsay

Defendant

Andrew Lewis (1)
TERMINATED: 02/06/2007

represented by **Timothy G. Watkins**
Federal Defender's Office
District of Massachusetts
408 Atlantic Ave.
Third Floor
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Boston, MA 02210
617-223-8061
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

18:2252(a)(2) Receipt of Child
Pornography
(1)

Disposition

The Court orders the defendant
committed to the custody of the Bureau
of Prisons for a term of 60 months.
Upon release the defendant is placed on
supervised release for a term of 3 years
with special conditions. The Court
further imposes a special assessment of
\$100

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition




Plaintiff

USA

represented by **Dena T. Sacco**
United States Attorney's Office
John Joseph Moakley Federal
Courthouse
1 Courthouse Way
Suite 9200
Boston, MA 02210
617-748-3304
TERMINATED: 06/29/2005
LEAD ATTORNEY
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Date Filed	#	Docket Text
10/13/2004	 1	SEALED INDICTMENT as to Andrew Lewis (1) count(s) 1. (Gawlik, Cathy) (Entered: 10/13/2004)
10/13/2004	 2	MOTION to Seal as to Andrew Lewis by USA. (Gawlik, Cathy) (Entered: 10/13/2004)
10/13/2004		Judge Robert B. Collings : ORDER entered granting 2 Motion to Seal as

		to Andrew Lewis (1) (Gawlik, Cathy) (Entered: 10/13/2004)
10/13/2004	2	Arrest Warrant Issued as to Andrew Lewis. (Gawlik, Cathy) (Entered: 10/13/2004)
10/13/2004	3	Judge Reginald C. Lindsay : ORDER entered ORDER REFERRING CASE to Magistrate Judge Judith G. Dein Reason for referral: pretrial proceedings as to Andrew Lewis (Gawlik, Cathy) (Entered: 10/13/2004)
10/14/2004	5	MOTION to Unseal Case as to Andrew Lewis by USA. (Smith3, Dianne) (Entered: 10/18/2004)
10/14/2004		Judge Judith G. Dein : Endorsement on motion ORDER entered granting 5 Motion to Unseal Case as to Andrew Lewis (1) (Smith3, Dianne) (Entered: 10/18/2004)
10/14/2004		Attorney update in case as to Andrew Lewis. Attorney Timothy G. Watkins for Andrew Lewis added. (Quinn, Thomas) (Entered: 10/28/2004)
10/14/2004		Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Initial Appearance as to Andrew Lewis held on 10/14/2004; AUSA Sacco and Attorney Watkins for the dft.; Dft. files CJA 23 and requests counsel; USMJ Dein appoints the Federal Defender; Govt. moves for detention and continuance; Detention and Arraignment set for 10/18/04 @ 12:00pm. (Court Reporter D.R.) (Quinn, Thomas) (Entered: 10/28/2004)
10/18/2004		SEALED MOTION as to Andrew Lewis . (Smith3, Dianne) (Entered: 10/18/2004)
10/18/2004	6	Arrest Warrant Returned Executed on 10/14/04. as to Andrew Lewis. (Stanhope, Don) (Entered: 10/19/2004)
10/18/2004		Judge Judith G. Dein : Electronic ORDER entered regarding [] Sealed Motion as to Andrew Lewis (1). The Motion is granted in part and denied in part in accordance with ruling made from the bench during argument. (Dambrosio, Jolyne) (Entered: 10/19/2004)
10/18/2004	7	Judge Judith G. Dein : ORDER entered INITIAL SCHEDULING ORDER as to Andrew Lewis. Status Conference set for 11/29/2004 02:30 PM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 10/19/2004)
10/18/2004	8	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Andrew Lewis. Time excluded from 10/18/04 until 11/15/04. (Dambrosio, Jolyne) (Entered: 10/19/2004)
10/18/2004	9	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Arraignment as to Andrew Lewis (1) Count 1 held on 10/18/2004. The Court informs the defendants of the charges. The defendant pleads not guilty to the charges. Bond Hearing as to Andrew Lewis held on 10/18/2004. The Court releases the defendant on conditions. Initial Status Conference set for 11/29/2004 02:30 PM in Courtroom 15 before

		Magistrate Judge Judith G. Dein. (Tape #Digital Recording.) (Brown, Rex) (Entered: 10/21/2004)
10/18/2004	<u>10</u>	EXHIBIT/WITNESS LIST as to Andrew Lewis (Brown, Rex) (Entered: 10/21/2004)
10/18/2004	<u>11</u>	Personal Recognizance Bond Entered as to Andrew Lewis (Brown, Rex) (Entered: 10/21/2004)
10/18/2004	<u>12</u>	Judge Judith G. Dein : ORDER entered ORDER Setting Conditions of Release as to Andrew Lewis (1) Personal Recognizance Bond with Conditions (Brown, Rex) (Entered: 10/21/2004)
10/19/2004		● Notice of correction to docket made by Court staff. Correction: Motion that was document #4 dated 10/18/04 corrected because: It was a sealed motion. Document no longer has a #. as to Andrew Lewis (Smith3, Dianne) (Entered: 10/19/2004)
11/29/2004	<u>13</u>	JOINT Statement pursuant to Local Rule 116.5(A) as to Andrew Lewis (Stanhope, Don) (Entered: 11/30/2004)
11/29/2004		● Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Status Conference as to Andrew Lewis held on 11/29/2004; AUSA Sacco and Attorney Watkins report case status; Defendant's motions due 12/13/04, Govt. response due 1/3/05 and next status conference is set for 1/11/05 @ 2:45pm. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 11/30/2004)
11/29/2004	<u>14</u>	Judge Judith G. Dein : ORDER entered STATUS REPORT as to Andrew Lewis Status Conference set for 1/11/2005 02:45 PM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Quinn, Thomas) (Entered: 12/01/2004)
11/29/2004	<u>15</u>	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Andrew Lewis Time excluded from 11/15/04 until 1/11/05. (Quinn, Thomas) (Entered: 12/01/2004)
12/22/2004	<u>16</u>	Assented to MOTION for Leave to File <i>Motion for Discovery Late</i> as to Andrew Lewis. (Watkins, Timothy) Additional attachment(s) added on 12/23/2004 (Stanhope, Don). (Entered: 12/22/2004)
12/23/2004	<u>17</u>	MOTION to Modify Conditions of Release as to Andrew Lewis. (Watkins, Timothy) (Entered: 12/23/2004)
12/28/2004		● Judge Judith G. Dein : Electronic ORDER entered granting <u>16</u> Defendant's Assented To Motion for Leave to File Discovery Motion Late. Counsel using the Electronic Case Files system should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. (Dambrosio, Jolyne) (Entered: 12/29/2004)
12/28/2004		● Judge Judith G. Dein : Electronic ORDER entered denying as moot <u>17</u> Motion to Modify Conditions of Release as to Andrew Lewis (1) (Quinn, Thomas) (Entered: 12/29/2004)

01/03/2005	<u>19</u>	Opposition by USA as to Andrew Lewis to <u>18</u> Defendant's MOTION for Production of Discovery (Stanhope, Don) (Entered: 01/05/2005)
01/04/2005	<u>18</u>	MOTION for Production of Discovery as to Andrew Lewis. (Stanhope, Don) (Entered: 01/04/2005)
01/11/2005	<u>20</u>	MOTION to Modify Conditions of Release as to Andrew Lewis. (Watkins, Timothy) (Entered: 01/11/2005)
01/11/2005		ElectronicClerk's Notes for proceedings held before Judge Judith G. Dein :Status Conference as to Andrew Lewis held on 1/11/2005; AUSA Sacco and Attorney Watkins report case status; next status conference is set for 2/15/05 @ 10:15am. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 01/11/2005)
01/11/2005		ElectronicClerk's Notes for proceedings held before Judge Judith G. Dein :Motion Hearing as to Andrew Lewis held on 1/11/2005 re <u>18</u> MOTION for Discovery filed by Andrew Lewis;; AUSA Sacco and Attorney Watkins; USMJ Dein hears arguments from counsel and allows motion; Discovery sought will be produced and Dft's expert will be subject to protective order. Govt. seeks stay to appeal order. USMJ Dein allows stay and will issue written order. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 01/11/2005)
01/11/2005	<u>21</u>	Judge Judith G. Dein : ElectronicORDER entered. STATUS REPORT as to Andrew Lewis Status Conference set for 2/15/2005 10:15 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Quinn, Thomas) (Entered: 01/12/2005)
01/11/2005	<u>22</u>	Judge Judith G. Dein : ElectronicORDER entered. ORDER ON EXCLUDABLE DELAY as to Andrew Lewis Time excluded from 1/11/05 until 2/15/05. (Quinn, Thomas) (Entered: 01/12/2005)
01/11/2005	<u>23</u>	Judge Judith G. Dein : ElectronicORDER entered granting <u>18</u> Motion for Discovery as to Andrew Lewis (1) (Quinn, Thomas) (Entered: 01/12/2005)
01/11/2005	<u>24</u>	Judge Judith G. Dein : ElectronicProtective ORDER entered. as to Andrew Lewis (Quinn, Thomas) (Entered: 01/12/2005)
01/18/2005	<u>25</u>	MOTION for Review of Magistrate Judge's January 11, 2005 Order Granting Defendant's Motion for Production of Discovery. as to Andrew Lewisby USA. (Stanhope, Don) (Entered: 01/19/2005)
01/19/2005		ElectronicClerk's Notes for proceedings held before Judge Judith G. Dein :Motion Hearing as to Andrew Lewis held on 1/19/2005 re <u>20</u> MOTION to Modify Conditions of Release filed by Andrew Lewis;; AUSA Sacco and Attorney Watkins make arguments on the motion and USMJ Dein grants motion with pretrial services to approve specific job search efforts and job placement. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 01/19/2005)
01/19/2005		Judge Judith G. Dein : ElectronicORDER entered granting <u>20</u> Motion to Modify Conditions of Release as to Andrew Lewis (1) Pretrial services to

		approve specific job search efforts and job placement. (Quinn, Thomas) (Entered: 01/19/2005)
02/14/2005	<u>26</u>	Joint MOTION to Continue <i>Interim Status Conference</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 02/14/2005)
02/14/2005	●	Judge Judith G. Dein : Electronic ORDER entered granting <u>26</u> Motion to Continue as to Andrew Lewis (1). The Interim Status Conference is continued to 3/28/05 at 10:15AM. (Dambrosio, Jolyne) (Entered: 02/14/2005)
02/14/2005	<u>27</u>	Judge Judith G. Dein : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Andrew Lewis. Time excluded from 2/15/05 until 3/28/05. (Dambrosio, Jolyne) (Entered: 02/14/2005)
03/14/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting in part and denying in part <u>25</u> Motion for review of magistrate judge's order granting production of certain computer evidence. The protective order issued by the magistrate judge on January 11, 2005 is hereby modified. Section 2 of that order is hereby stricken. In its place the following is inserted. "Counsel for the defendant shall retain custody of the computer evidence at all times. The computer evidence may be accessed and examined by Devin Hosea and members of his staff only at the offices of defendant's counsel. The computer evidence may not be copied." In all other respects the protective order of January 11, 2005 shall remain in full force and effect (Lindsay, Reginald) (Entered: 03/14/2005)
03/30/2005	●	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein : Status Conference as to Andrew Lewis held on 3/30/2005; AUSA Sacco and Attorney Watkins report current case status; Next conference is set for 4/26/05 @ 10:45am. (Court Reporter D.R.) (Quinn, Thomas) (Entered: 03/30/2005)
03/30/2005	<u>28</u>	Judge Judith G. Dein : ORDER entered. STATUS REPORT as to Andrew Lewis Status Conference set for 4/26/2005 10:45 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Quinn, Thomas) (Entered: 03/31/2005)
03/30/2005	<u>29</u>	Judge Judith G. Dein : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Andrew Lewis Time excluded from 3/28/05 until 4/26/05. (Quinn, Thomas) (Entered: 03/31/2005)
04/25/2005	<u>30</u>	Assented to MOTION to Continue <i>Status Conference</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 04/25/2005)
04/26/2005	●	Judge Judith G. Dein : Electronic ORDER entered granting <u>30</u> Motion to Continue as to Andrew Lewis (1) (Quinn, Thomas) (Entered: 04/27/2005)
04/26/2005	<u>31</u>	Judge Judith G. Dein : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Andrew Lewis Time excluded from 4/26/05 until 5/23/05. (Quinn, Thomas) (Entered: 04/27/2005)
05/23/2005	●	Electronic Clerk's Notes for proceedings held before Judge Judith G.

		Dein :Status Conference as to Andrew Lewis held on 5/23/2005; AUSA Sacco and Attorney Watkin report case status and seek further conference for 6/13/05 @ 10:30am. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 05/23/2005)
05/23/2005	32	Judge Judith G. Dein : ORDER entered. STATUS REPORT as to Andrew Lewis Status Conference set for 6/13/2005 10:30 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Quinn, Thomas) (Entered: 05/23/2005)
05/23/2005	33	Judge Judith G. Dein : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Andrew Lewis Time excluded from 5/23/05 until 6/13/05. (Quinn, Thomas) (Entered: 05/24/2005)
06/10/2005	34	Assented to MOTION to Continue <i>Status Conference</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 06/10/2005)
06/10/2005		Judge Judith G. Dein : Electronic ORDER entered granting 34 Motion to Continue as to Andrew Lewis (1); conference is reset for 6/29/05 @ 10:30am. (Quinn, Thomas) (Entered: 06/10/2005)
06/10/2005	35	Judge Judith G. Dein : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Andrew Lewis Time excluded from 6/13/05 until 6/29/05. (Quinn, Thomas) (Entered: 06/13/2005)
06/28/2005	36	NOTICE of Appearance by USA as to Andrew Lewis (Cabell, Donald) (Entered: 06/28/2005)
06/29/2005		Attorney update in case as to Andrew Lewis. Attorney Donald L. Cabell for USA added. (Hourihan, Lisa) (Entered: 06/29/2005)
06/29/2005	37	NOTICE of Withdrawal of Appearance in case as to Andrew Lewis. Attorney Dena T. Sacco terminated. (Sacco, Dena) (Entered: 06/29/2005)
06/29/2005		Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Status Conference as to Andrew Lewis held on 6/29/2005; AUSA Cabel and Attorney Watkins report discovery is complete; USMJ Dein sets 8/1/05 for defendant's motion to supress; USMJ Dein will issue report and return file to district court. (Court Reporter None.) (Quinn, Thomas) (Entered: 06/29/2005)
06/29/2005	38	Judge Judith G. Dein : ORDER entered. FINAL STATUS REPORT as to Andrew Lewis (Quinn, Thomas) (Entered: 06/29/2005)
06/29/2005	39	Judge Judith G. Dein : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Andrew Lewis Time excluded from 6/29/05 until 8/1/05. (Quinn, Thomas) (Entered: 06/29/2005)
08/02/2005		NOTICE OF HEARING as to Andrew Lewis Pretrial Conference set for 8/23/2005 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 08/02/2005)
08/23/2005	40	STATUS REPORT by Andrew Lewis (Watkins, Timothy) (Entered: 08/23/2005)

08/23/2005	41	Assented to MOTION to Modify Conditions of Release as to Andrew Lewis. (Watkins, Timothy) (Entered: 08/23/2005)
08/23/2005	42	Assented to MOTION to Modify Conditions of Release <i>and Proposed Order</i> as to Andrew Lewis. (Attachments: # <u>1</u> Text of Proposed Order) (Watkins, Timothy) (Entered: 08/23/2005)
08/23/2005		Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay :Pretrial Conference as to Andrew Lewis held on 8/23/2005. Court approves of the briefing schedule relating to the filing of a motion to suppress. Motion to be filed by 9/6/05. Government to file response by 9/26/05. Hearing set for 11/2/05 at 9:00AM. All time excluded from 8/23/05 - 11/2/05. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 08/24/2005)
08/23/2005		Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>41</u> Motion to Modify Conditions of Release as to Andrew Lewis (1) (Hourihan, Lisa) (Entered: 08/24/2005)
08/23/2005		Judge Reginald C. Lindsay : Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Andrew Lewis Time excluded from 8/23/05 until 11/2/05. (Hourihan, Lisa) (Entered: 08/24/2005)
08/24/2005		Set/Reset Deadlines re Motion in case as to Andrew Lewis Suppression Hearing set for 11/2/2005 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 08/24/2005)
08/24/2005	43	Judge Reginald C. Lindsay : ORDER entered. as to Andrew Lewis (York, Steve) (Entered: 08/25/2005)
09/19/2005	44	MOTION to Suppress <i>Statements And Physical Evidence</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 09/19/2005)
09/19/2005	45	MEMORANDUM in Support by Andrew Lewis re <u>44</u> MOTION to Suppress <i>Statements And Physical Evidence</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Watkins, Timothy) (Entered: 09/19/2005)
09/19/2005	46	AFFIDAVIT in Support by Andrew Lewis re <u>44</u> MOTION to Suppress <i>Statements And Physical Evidence</i> (Watkins, Timothy) (Entered: 09/19/2005)
09/19/2005	47	MOTION for Leave to File <i>Memorandum in Support of Motion to Suppress in Excess of Twenty Pages</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 09/19/2005)
09/19/2005	48	Assented to MOTION for Leave to File <i>Motion to Suppress Late</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 09/19/2005)
09/20/2005		Judge Reginald C. Lindsay : ElectronicORDER entered granting <u>48</u> Motion for Leave to File Motion to Suppress Late as to Andrew Lewis (1) (Hourihan, Lisa) (Entered: 09/20/2005)
09/22/2005		Judge Reginald C. Lindsay : ElectronicORDER entered granting <u>47</u> Motion for Leave to File memo in excess of 20 pages as to Andrew

		Lewis (1) (Hourihan, Lisa) (Entered: 09/22/2005)
10/21/2005	49	Assented to MOTION for Leave to File <i>opposition to motion to suppress</i> as to Andrew Lewisby USA. (Attachments: # <u>1</u> # <u>2</u>)(Cabell, Donald) (Entered: 10/21/2005)
10/24/2005		Judge Reginald C. Lindsay : ElectronicORDER entered granting 49 motion for leave to file opposition to motion to suppress as to Andrew Lewis. (Lindsay, Reginald) (Entered: 10/24/2005)
10/25/2005	50	Government's Opposition by USA as to Andrew Lewis re 44 Defendant MOTION to Suppress <i>Statements And Physical Evidence</i> (Attachments: # <u>1</u> Exhibit)(York, Steve) (Entered: 10/25/2005)
10/26/2005		Set/Reset Deadlines re Motion in case as to Andrew Lewis 44 MOTION to Suppress <i>Statements And Physical Evidence</i> . Motion Hearing set for 11/2/2005 11:30 AM in Courtroom 11 before Judge Reginald C. Lindsay. (NOTE TIME CHANGE ONLY) (Hourihan, Lisa) (Entered: 10/26/2005)
10/28/2005	51	Assented to MOTION to Continue <i>Evidentiary Hearing</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 10/28/2005)
10/31/2005		Judge Reginald C. Lindsay : ElectronicORDER entered granting 51 Motion to Continue Suppression Hearing as to Andrew Lewis (1) (Hourihan, Lisa) (Entered: 10/31/2005)
10/31/2005		Set/Reset Deadlines re Motion in case as to Andrew Lewis 44 MOTION to Suppress <i>Statements And Physical Evidence</i> . Motion Hearing reset for 12/1/2005 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 10/31/2005)
11/15/2005		ELECTRONIC NOTICE OF HEARING as to Andrew Lewis Status Conference set for 11/28/2005 10:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 11/15/2005)
11/28/2005		ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Status Conference as to Andrew Lewis held on 11/28/2005. Suppression hearing set for 12/1/05 at 9:00AM. Estimate one morning. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 11/28/2005)
12/01/2005		ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Motion Hearing as to Andrew Lewis held on 12/1/2005 re 44 MOTION to Suppress <i>Statements And Physical Evidence</i> filed by Andrew Lewis. Government's evidence begins with the examination of Randall Becker; cross-examination; re-direct; re-cross. Examination of Khela Vazquez; cross-examination; re-direct; re-cross. Court adjourned until 12/5/05. Motion Hearing set for 12/5/2005 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 12/01/2005)
12/05/2005		ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Motion Hearing Day Two as to Andrew Lewis held on 12/5/2005 re 44 MOTION to Suppress <i>Statements And Physical Evidence</i> filed by Andrew Lewis. Government's evidence continues with the

		examination of Michael Pan; cross-examination. Examination of Glen van Neil; crrross-examination; re-direct; re-cross. Court adjourned until 12/6/05 at 11AM. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 12/07/2005)
12/06/2005	●	Clerk's Notes for proceedings held before Judge Reginald C. Lindsay: Motion Hearing as to Andrew Lewis held on 12/6/2005 re <u>44</u> MOTION to Suppress Statements And Physical Evidence filed by Andrew Lewis. Court heard argument on motion from the government and defendant. Court adjourned until 12/7/05. Motion Hearing set for 12/7/2005 09:00 AM in Courtroom 10 before Judge Reginald C. Lindsay. (Court Reporter D. Joyce.) (RCL, law3) (Entered: 12/06/2005)
12/07/2005	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Motion Hearing as to Andrew Lewis held on 12/7/2005 re <u>44</u> MOTION to Suppress <i>Statements And Physical Evidence</i> filed by Andrew Lewis. For reasons stated on the record, motion DENIED. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 12/07/2005)
12/07/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered denying <u>44</u> Motion to Suppress as to Andrew Lewis (1) (Hourihan, Lisa) (Entered: 12/07/2005)
12/07/2005	●	ELECTRONIC NOTICE OF HEARING as to Andrew Lewis Pretrial Conference set for 1/10/2006 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 12/07/2005)
01/10/2006	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Pretrial Conference as to Andrew Lewis held on 1/10/2006. Trial estimate 4 days. Jury trial set for 4/24/06. Pretrial Order to issue. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 01/11/2006)
01/11/2006	● <u>52</u>	Judge Reginald C. Lindsay : ORDER entered. PRETRIAL ORDER as to Andrew Lewis Time excluded from 1/10/06 until 4/24/06. Jury Trial set for 4/24/2006 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. Pretrial Conference set for 4/21/2006 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 01/11/2006)
02/03/2006	● <u>53</u>	TRANSCRIPT of Motion to Suppress Hearing Day One as to Andrew Lewis held on December 1, 2005 before Judge Lindsay. Court Reporter: Debra M. Joyce. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-4410 or the Clerk's Office. (Scalfani, Deborah) (Entered: 02/03/2006)
02/03/2006	● <u>54</u>	TRANSCRIPT of Motion to Suppress Hearing Day Three as to Andrew Lewis held on December 6, 2005 before Judge Lindsay. Court Reporter: Debra M. Joyce. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-4410 or the Clerk's Office. (Scalfani, Deborah) Modified on 2/3/2006 (Scalfani, Deborah). (Entered: 02/03/2006)

02/03/2006	55	TRANSCRIPT of Motion to Suppress Hearing Day Four as to Andrew Lewis held on December 7, 2005 before Judge Lindsay. Court Reporter: Debra M. Joyce. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-4410 or the Clerk's Office. (Scalfani, Deborah) (Entered: 02/03/2006)
02/03/2006	56	TRANSCRIPT of Motion to Suppress Hearing Day Two as to Andrew Lewis held on December 5, 2005 before Judge Lindsay. Court Reporter: Debra M. Joyce. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-4410 or the Clerk's Office. (Scalfani, Deborah) (Entered: 02/03/2006)
04/05/2006	57	NOTICE OF ATTORNEY APPEARANCE B. Stephanie Siegmann appearing for USA. (Siegmann, B.) (Entered: 04/05/2006)
04/06/2006		NOTICE OF RESCHEDULING as to Andrew Lewis Pretrial Conference reset to 4/20/2006 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 04/06/2006)
04/10/2006	58	Joint MOTION for Extension of Time to File <i>listings in paragraph five of pretrial order</i> as to Andrew Lewisby Andrew Lewis, USA. (Cabell, Donald) (Entered: 04/10/2006)
04/12/2006	59	MOTION in Limine as to Andrew Lewisby USA. (Cabell, Donald) (Entered: 04/12/2006)
04/12/2006	60	TRIAL BRIEF by USA as to Andrew Lewis (Cabell, Donald) (Entered: 04/12/2006)
04/12/2006	61	Proposed Voir Dire by USA as to Andrew Lewis (Cabell, Donald) (Entered: 04/12/2006)
04/12/2006	62	Proposed Jury Instructions by USA as to Andrew Lewis (Cabell, Donald) (Entered: 04/12/2006)
04/12/2006	63	Proposed Voir Dire by Andrew Lewis (Watkins, Timothy) (Entered: 04/12/2006)
04/17/2006	64	EXHIBIT/WITNESS LIST by USA as to Andrew Lewis (Cabell, Donald) (Entered: 04/17/2006)
04/17/2006	65	EXHIBIT/WITNESS LIST by USA as to Andrew Lewis (Cabell, Donald) (Entered: 04/17/2006)
04/17/2006	66	MEMORANDUM in Opposition by Andrew Lewis re 59 MOTION in Limine (Watkins, Timothy) (Entered: 04/17/2006)
04/17/2006	67	MOTION in Limine <i>to Admit Admission of Party-Opponent</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 04/17/2006)
04/18/2006	68	MOTION in Limine <i>Re: Expert Witness Celeste Wilson</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 04/18/2006)

04/19/2006	<u>69</u>	Opposition by USA as to Andrew Lewis re <u>68</u> MOTION in Limine <i>Re: Expert Witness Celeste Wilson</i> (Siegmann, B.) (Entered: 04/19/2006)
04/19/2006	<u>70</u>	Proposed Jury Instructions by Andrew Lewis (Watkins, Timothy) (Entered: 04/19/2006)
04/20/2006	<u>71</u>	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Pretrial Conference as to Andrew Lewis held on 4/20/2006. Trial estimate 4-6 days. Court confers with counsel re: jury empanelment. Arguments on the pending motions in limine. Jury trial set for 4/24/06. (Court Reporter V. O'Hara.) (Hourihan, Lisa) (Entered: 04/24/2006)
04/23/2006	<u>71</u>	MEMORANDUM in Support by Andrew Lewis re <u>67</u> MOTION in Limine <i>to Admit Admission of Party-Opponent</i> (Watkins, Timothy) (Entered: 04/23/2006)
04/24/2006	<u>72</u>	MEMORANDUM in Opposition by USA as to Andrew Lewis re <u>67</u> MOTION in Limine <i>to Admit Admission of Party-Opponent</i> (Cabell, Donald) (Entered: 04/24/2006)
04/24/2006	<u>73</u>	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay : Jury Trial Day One.Jury Selection as to Andrew Lewis held on 4/24/2006, Voir Dire begun on 4/24/2006 Andrew Lewis (1) on Count 1, Voir Dire held on 4/24/2006 as to Andrew Lewis. Court adjourned until 4/25/06 at 9:30AM. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 04/25/2006)
04/25/2006	<u>74</u>	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Jury Trial Day Two as to Andrew Lewis held on 4/25/2006. Hearing out of the presence of the jury on preliminary matters. Jury sworn. Preliminary instructions given to the jury. Government's opening statement. Defendant's opening statement. Government's evidence begins with the examination of Glenn Van Neil; cross-examination. Examination of Scott Grace. Court adjourned until 4/26/06 at 9:30AM. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 04/25/2006)
04/26/2006	<u>73</u>	Assented to MOTION to Amend <i>Indictment</i> as to Andrew Lewisby USA. (Cabell, Donald) (Entered: 04/26/2006)
04/26/2006	<u>75</u>	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Jury Trial Day 3 as to Andrew Lewis held on 4/26/2006. Government's evidence continues with the examination of Scott Grace; cross-examination; re-direct; re-cross. Examination of Khla Vasquez; cross-examination. Court adjourned until 4/27/06 at 9:00AM. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 04/26/2006)
04/27/2006	<u>76</u>	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Jury Trial Day 4 as to Andrew Lewis held on 4/27/2006. Government's evidence continues with the examination of Celste Wilson. Government rests. Defendant's evidence begins with the reading of a stipulation. Defendant rests. Defendant moves for Judgment of Acquittal. Court reserved ruling. Jury excused. Charge conference held. Court adjourned until 4/28/06 at 9:00AM. (Court Reporter D. Joyce.)

		(Hourihan, Lisa) (Entered: 04/27/2006)
04/27/2006	<u>74</u>	Proposed Jury Instructions by Andrew Lewis (Watkins, Timothy) (Entered: 04/27/2006)
04/27/2006	<u>75</u>	MOTION for Judgment of Acquittal as to Andrew Lewis. (York, Steve) (Entered: 05/01/2006)
04/28/2006		ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Jury Trial Day 5 as to Andrew Lewis held on 4/28/2006. Trial does not go forward due to the defendants illness. Jury excused and Court adjourned until 5/1/06at 9:00AM. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 05/01/2006)
05/01/2006	<u>76</u>	Government's Opposition to Defendant's Andrew Lewis re <u>75</u> MOTION for Acquittal (York, Steve) (Entered: 05/01/2006)
05/01/2006	<u>77</u>	MOTION to Revoke <i>Detention Order and for Release Pending Sentencing</i> as to Andrew Lewis. (Watkins, Timothy) (Entered: 05/01/2006)
05/01/2006		Judge Reginald C. Lindsay : Electronic Procedural ORDER on defendant Andrew Lewis' emergency motion for release pending sentencing. The court will hold a hearing on this motion on Thursday, May 4, 2006 at 10:00 a.m. in Courtroom 11. If the government wishes to file an opposition to the motion, it should do so by 5 p.m. Wednesday, May 3, 2006. (RCL, law1) (Entered: 05/01/2006)
05/01/2006		ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Jury Trial Day 6 as to Andrew Lewis held on 5/1/2006. Juror #6 Allyson Shear excused as a sitting juror. Alternate #1 Scott Fuller replaced as sitting juror. Government's closing argument. Defendant's closing argument. Government's rebuttal. Court charges the jury. Jury retires to deliberate at 11:45AM. Jury has lunch at 1PM. Jury returns with a question at 2PM. Court confers with counsel and question answered for the jury. Jury returns with a verdict of guilty at 3:30PM. Defendant remanded to the custody of the US Marshal. Sentencing set for 10/2/06 at 2PM. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 05/03/2006)
05/03/2006	<u>78</u>	Judge Reginald C. Lindsay : ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Andrew Lewis Sentencing set for 10/2/2006 02:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 05/03/2006)
05/04/2006		Exhibits returned to counsel for the government (Hourihan, Lisa) (Entered: 05/04/2006)
05/04/2006		ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Motion Hearing as to Andrew Lewis held on 5/4/2006 re <u>77</u> MOTION to Revoke <i>Detention Order and for Release Pending Sentencing</i> filed by Andrew Lewis. Arguments. Court allows motion and defendant is released on conditions. Counsel to file a proposed order of conditions of release. (Court Reporter D. Joyce.) (Hourihan, Lisa)

		(Entered: 05/04/2006)
05/04/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>77</u> Motion to Revoke Order of Detention as to Andrew Lewis (1) (Hourihan, Lisa) (Entered: 05/04/2006)
05/04/2006	● <u>79</u>	JURY VERDICT as to Andrew Lewis (1) Guilty on Count 1. (York, Steve) (Entered: 05/04/2006)
05/04/2006	● <u>80</u>	MOTION to Modify Conditions of Release as to Andrew Lewis. (Attachments: # <u>1</u> Text of Proposed Order)(Watkins, Timothy) (Entered: 05/04/2006)
05/04/2006	● <u>81</u>	Judge Reginald C. Lindsay : ORDER entered. ORDER Setting Conditions of Release as to Andrew Lewis (1) Personal Recognizance Bond with Conditions as to Andrew Lewis. (York, Steve) (Entered: 05/04/2006)
05/04/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>80</u> Motion to Modify Conditions of Release as to Andrew Lewis (1) (Hourihan, Lisa) (Entered: 05/24/2006)
05/24/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered denying <u>75</u> Motion for Acquittal as to Andrew Lewis (1) (Hourihan, Lisa) (Entered: 05/24/2006)
09/06/2006	● <u>82</u>	MOTION to Continue <i>sentencing</i> as to Andrew Lewisby USA. (Cabell, Donald) (Entered: 09/06/2006)
09/13/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>82</u> Motion to Continue as to Andrew Lewis (1) Sentencing reset for 11/29/2006 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 09/13/2006)
11/09/2006	● <u>83</u>	Assented to MOTION to Modify Conditions of Release as to Andrew Lewis. (Watkins, Timothy) (Entered: 11/09/2006)
11/16/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>83</u> Motion to Modify Conditions of Release as to Andrew Lewis (1) (Hourihan, Lisa) (Entered: 11/16/2006)
11/17/2006	● <u>84</u>	Assented to MOTION to Continue <i>sentencing</i> as to Andrew Lewisby USA. (Cabell, Donald) (Entered: 11/17/2006)
11/20/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>84</u> Motion to Continue as to Andrew Lewis (1) Sentencing reset for 12/28/2006 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 11/20/2006)
12/15/2006	● <u>85</u>	Assented to MOTION to Continue <i>Sentencing</i> as to Andrew Lewisby USA. (Cabell, Donald) (Entered: 12/15/2006)
12/18/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>85</u> Motion to Continue as to Andrew Lewis (1) Sentencing reset for 1/29/2007 02:00 PM in Courtroom 11 before Judge Reginald C. Lindsay.

		(Hourihan, Lisa) (Entered: 12/18/2006)
01/29/2007	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Sentencing held on 1/29/2007 for Andrew Lewis (1), Count(s) 1. Donald Cabell for the Government. Timothy Watkins for the defendant. The Court orders the defendant committed to the custody of the Bureau of Prisons for a term of 60 months. Upon release the defendant is placed on supervised release for a term of 3 years with special conditions. The Court further imposes a special assessment of \$100. The defendant allowed to self-report on 3/1/07 at 2PM. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 01/30/2007)
02/06/2007	● 86	Judge Reginald C. Lindsay : ORDER entered. JUDGMENT as to Andrew Lewis (1), Count(s) 1, The Court orders the defendant committed to the custody of the Bureau of Prisons for a term of 60 months. Upon release the defendant is placed on supervised release for a term of 3 years with special conditions. The Court further imposes a special assessment of \$100 (Hourihan, Lisa) (Entered: 02/07/2007)
02/28/2007	● 87	MOTION for Extension of Time to March 2, 2007 to File Notice of Appeal as to Andrew Lewis. (Watkins, Timothy) (Entered: 02/28/2007)
03/02/2007	● 88	AFFIDAVIT in Support by Andrew Lewis re 87 MOTION for Extension of Time to March 2, 2007 to File Notice of Appeal (Watkins, Timothy) (Entered: 03/02/2007)
03/07/2007	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting 87 Motion for Extension of Time to File Notice of Appeal as to Andrew Lewis. This motion is granted pursuant to Fed. R. App. P. 4(b)(4) upon the explicit finding that the failure of the defendant to file a timely notice of appeal was due to excusable neglect. The period within which the defendant must file his notice of appeal is extended to March 19, 2007. (Lindsay, Reginald) (Entered: 03/07/2007)
03/07/2007	● 89	NOTICE OF APPEAL by Andrew Lewis NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 3/27/2007. (Watkins, Timothy) (Entered: 03/07/2007)